

**CEMETERY AND FUNERAL BUREAU**

Information for Candidates

**CEMETERY BROKER**

Written Examination

Eligibility

Each applicant for the cemetery broker license in California must successfully complete a written examination prior to the issuance of the license. Applicants must reside in California.

Purpose of the examination

The primary purpose of the examination is to assess the candidate's ability to apply California's health and safety laws to cemetery brokerage practice. Candidates should know these laws as well as other laws and regulations related to cemetery brokerage.

Description of practice

California Business and Professions Code Section 9604 states:

A cemetery broker is a person who, other than in reference to an occasional sale, sells or offers for sale, buys, or offers to buy, lists, leases, or offers to lease, or solicits, or negotiates the purchase or sale, lease or exchange of cemetery property or interment services, or interest therein, for his own account or for another.

Individuals, corporations, associations, or co-partnerships must be licensed to practice cemetery brokerage. Licensed corporations are permitted to act as cemetery brokers by the articles of incorporation. Individuals who engage in cemetery brokerage practice within the corporations must be licensed. Licensed associations or co-partnerships are permitted to act as cemetery brokers as authorized by the articles of incorporation or agreement of partnership. Individuals who engage in cemetery brokerage practice within the association or co-partnerships must be licensed.

Written examination

The cemetery broker examination contains multiple-choice items that address five areas of responsibility. The examination for cemetery brokers is developed and maintained by the Department of Consumer Affairs, Office of Examination Resources. Licensed cemetery brokers provide technical expertise in the development of the examination.

Passing score

The passing score is based upon practice criteria and is intended to protect the health, safety, and welfare of the public.

Abandonment of application

The Bureau considers an application abandoned if the applicant fails to take the examination within 6 months of eligibility in accordance with Section 2328 of Title 16 of the California Code of Regulations.

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An application will not be deemed abandoned if the applicant has filed a written request to take a subsequent examination during the 6-month period.

In the absence of special circumstances, the applicant whose application has been deemed abandoned must file a new application accompanied by the required fee.

What to study

Pursuant to Section 9702.5 of the Business and Professions Code, the candidate must be able to perform job duties in the following areas of responsibility:

CEMETERY PROPERTY (25%): Includes, but not limited to, property rights, disposal of lands, joint tenancy of cemetery property, legal obligations pertaining to disposal of unclaimed dead, care of cemetery properties, abandonment of property, certificates of authority; and operation and improvement of cemetery property. Mausoleums and columbariums are considered cemetery property.

REQUIREMENTS FOR BURIAL (25%): Includes, but not limited to, custody and duty of interment, disinterment and reinterment, disposal and removal of remains, embalming and transportation; requirements for burial; and effect of cemetery construction on infection control.

CEMETERY TRUST FUNDS (20%): Includes, but not limited to, prearrangement plans, conservatorship, investments, reinvestments, seizure of funds, securities, and taxes pertaining to endowment care and special care funds.

CONVEYANCES OF CEMETERY PROPERTY (15%): Includes, but not limited to, plot ownership and transfer of ownership of different types of cemetery property, acquisition, dedication, deeds, certificates of ownership, contracts of sale, liens, and leases; and employment or compensation of unlicensed salespersons.

LEGAL OBLIGATIONS (15%): Includes, but not limited to, recordkeeping and records pertaining to endowment care funds, records of interment or cremation of remains, special care fund reports; and effect of authority of cemetery associations, cemetery corporations and cemetery directors on cemetery brokerage practice.

References

Candidates should review practice-related sections of :

- Chapter 19, California Business and Professions Code (§§9600–9789)
- Divisions 7 and 8, California Health and Safety Code (§§7000–9677)
- Title 16, Division 23, California Code of Regulations (§§2300–2390)

Check your local public library or the Internet at www.cfb.ca.gov.

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Notification of results

The Bureau will notify you of your examination results by mail within 8 weeks of the scheduled examination date. If results are not received within 9 weeks of the examination date, submit a written request to the Bureau for a duplicate copy of your examination results.

Examination results will not be released by telephone or in response to a personal visit.